

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GREGORY EDWARD KUCERA,

Plaintiff,

v.

No. 18cv95 JCH/SCY

LOS ALAMOS NATIONAL LABS,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for Mistrial, Doc. 10, filed July 19, 2018. Plaintiff's Motion states in its entirety: "I motion for a mistrial." The Court **DENIES** the Motion because it "does not state with particularity the grounds" for the Motion as required by D.N.M.LR-Civ. 7.1(a).

On September 17, 2018, Plaintiff sent an email to the Chambers of the undersigned titled "ex parte motion." Attached to the email were two "sworn statement[s]" and an "addenda." The captions of the attached documents indicate they are directed to the "United States Court of Appeals for the Tenth Circuit" and are related to some closed cases in this Court including the case referenced in the caption above. Plaintiff states: "If this message is not appropriate please inform me as to a more appropriate email"

Ex parte communication with the Court via email regarding substantive matters is inappropriate. Motions and other documents regarding substantive matters should be filed with the Clerk of the Court in the relevant case. The Court reminds Plaintiff that this case is closed with the Final Judgment entered on February 23, 2018, Doc. 5, and the dismissal of the appeal on July 3, 2018, Doc. 9. The Court also reminds Plaintiff that the Court has imposed filing restrictions on Plaintiff. *See* Doc. 6, filed May 21, 2018 in *Kucera v. Lawrence Livermore*

National Laboratories, No. 18cv250 WJ/LF (D.N.M.). Failure to comply with those filing restrictions may result in the imposition of additional restrictions.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE